

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.10 G, Closed Area No. 8, Cape Porpoise Harbor and Goosefare Bay promulgated January 7, 2000 is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.10 G, Closed Area No. 8, Goosefare Bay, Kennebunkport and Biddeford.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters inside and westerly of a line beginning at the southeastern end of Nessler Point, Cape Porpoise, and running northeasterly to the southeastern end of Timber Island; thence northerly to the most southern tip of Timber Point, Biddeford.

Exception: From October 1 through May 31, shellfish harvesting will be permitted north of a line beginning at the westernmost point of land at Timber Point and running due north across the mouth of Little River; AND east of a line across the opening of the southwestern channel from Telephone Pole #J31 on the north shore to Telephone Pole #J5 on the south shore.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: June 5, 2000

AGENCY CONTACT PERSON: Amy M. Fitzpatrick
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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.10 G, Closed Area No. 8, Cape Porpoise Harbor and Goosefare Bay, Kennebunkport, promulgated January 7, 2000, and replaces it with a new rule. This new rule opens the Little River on the Kennebunkport and Biddeford town line from October 1 through May 31.

The prohibited areas are closed due to the presence of licensed municipal waste discharges and intermittent microbiological pollution. Consequently, these prohibited areas must remain closed to protect the public health.


GEORGE D. LAPOINTE
COMMISSIONER

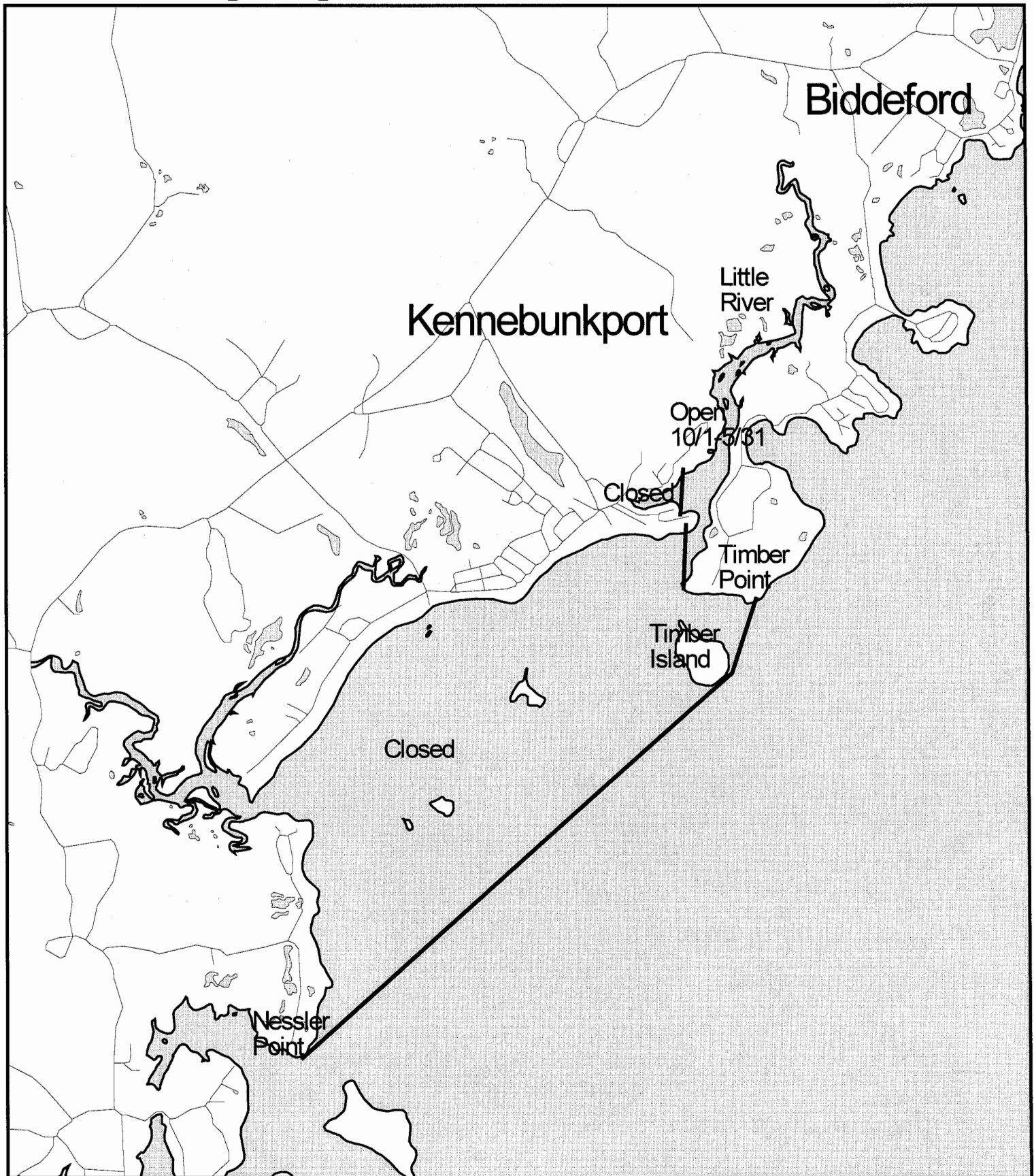


Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Kennebunkport and Biddeford

C8 Cape Porpoise



0.5 0 0.5 1 Miles